

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
EASTERN DIVISION**

LOL Finance Co.,)	
)	
Plaintiff,)	
v.)	
)	Case No. 2:17cv121-KS-MTP
Clear Run Cattle Company, Inc., Carl Harold)	
Parker, Jr., and Dawn Tatum Parker,)	
)	
Defendants.)	

**ORDER CHARGING THE INTEREST OF DAWN TATUM PARKER
IN THE ESTATE OF JOSEPH F. TATUM, DECEASED**

This matter is before the Court on the Application of Plaintiff/Judgment Creditor, LOL Finance Co., for an Order Charging the Interest of Defendant/Judgment Debtor, Dawn Tatum Parker (“Parker”), in *The Estate of Joseph F. Tatum, Deceased* with payment of the unsatisfied amount of those certain Judgments and Orders entered by this Court on October 25, 2017, and on February 22, 2018 in favor of LOL Finance Co. and against Parker in the above referenced case [Dkts. #24 and #32] as follows:

- a. Principal and interest under the Line of Credit as of October 16, 2017 in the amount of \$6,396,294.50;
- b. Per diem interest accruing on the principal balance at the rate of \$940.56 per day from October 16, 2017 until the date of entry of this Consent Judgment;
- c. Post judgment interest at the rate of 5.75% per annum (the contract rate) on all outstanding amounts until paid in full;
- d. Reasonable attorneys’ fees, costs and expenses as permitted under the relevant loan documents.

In addition, this Court granted an Order for attorney's fees on February 22, 2018, awarding LOLFC \$63,622.23 in attorney's fees and costs. *See* [Dkt. #32]

And the Court, having considered the Application and being fully advised in the premises, finds that LOL Finance Co. is entitled to have the interest of Dawn Tatum Parker in The Estate of Joseph F. Tatum, Deceased charged with payment of the unsatisfied amount of the Judgment and attorney's fees and costs.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED, that:

1. LOL Finance Co. is entitled to have the interest of Dawn Tatum Parker in The Estate of Joseph F. Tatum, Deceased, charged with payment of the unsatisfied amount of the Judgment and attorney's fees and costs.
2. LOL Finance Co. shall receive all distributions and other payments which Dawn Tatum Parker is entitled, or may in the future become entitled, to receive from The Estate of Joseph F. Tatum, Deceased, by virtue of her interest therein, until all amounts due and owing under the Judgment and attorney's fees and costs are paid in full.
3. LOL Finance Co. is not, and shall not be considered, a member of The Estate of Joseph F. Tatum, Deceased for purposes of reporting to the Office of Revenue of the State of Mississippi, to the Internal Revenue Service, or to any other federal, state, or local governmental entity. All of the income and other tax consequences, local, state or federal, of Dawn Tatum Parker's interest in The Estate of Joseph F. Tatum, Deceased shall remain the responsibility of Dawn Tatum Parker and no profits, losses, income, gains, deductions, credits or similar items shall be allocated or

- attributed to LOL Finance Co.. LOL Finance Co. shall not receive any state or federal Schedule K-1 forms from The Estate of Joseph F. Tatum, Deceased, nor will LOL Finance Co. be shown as a member or partner of The Estate of Joseph F. Tatum, Deceased on any state or federal tax return.
4. LOL Finance Co. shall not be liable for any of the debts, liabilities or obligations of The Estate of Joseph F. Tatum, Deceased, Dawn Tatum Parker, or any other member of The Estate of Joseph F. Tatum, Deceased, and LOL Finance Co. shall not be obligated to contribute or advance any money or property to The Estate of Joseph F. Tatum, Deceased, shall not be obligated to meet any cash or capital calls of The Estate of Joseph F. Tatum, Deceased, shall not be obligated to contribute any labor or materials to The Estate of Joseph F. Tatum, Deceased, and shall not be obligated or entitled to participate in any way in the management of The Estate of Joseph F. Tatum, Deceased.
 5. This Order shall remain in place, and LOL Finance Co. shall receive all distributions and other payments which Dawn Tatum Parker is, or should be, entitled to receive until such time as LOL Finance Co. has collected from Dawn Tatum Parker, either through this Order or through other collection methods, the total amount of monies due and owing under the Judgment and attorney's fees and costs. Upon collection of the total amount of monies due and owing under the Judgment and attorney's fees and costs, LOL Finance Co. shall notify the Court of the collection of such sums and shall request entry of an Order releasing Dawn Tatum Parker's interest in The Estate of

Joseph F. Tatum, Deceased from the obligations set forth in this Order and provide
The Estate of Joseph F. Tatum, Deceased with notice thereof.

6. LOL Finance Co. shall provide The Estate of Joseph F. Tatum, Deceased with a copy
of this Order within ten days of its entry.

SO ORDERED, this the 23rd day of May, 2018.

s/Keith Starrett
DISTRICT COURT JUDGE

SUBMITTED BY:

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